

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, DECEMBER 15, 2014**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:02 p.m. on Monday, December 15, 2014, with Councillor Lewis presiding.

Councillor Councillor McHenry led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*0 ABSENT:*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor McQuillen recognized Beech Grove resident and Council Member Anthony Davidson.

**OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE  
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND  
MARION COUNTY, INDIANA

*Journal of the City-County Council*

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 15, 2014, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Maggie A. Lewis  
President, City-County Council

December 12, 2014

TO PRESIDENT LEWIS AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, NaTrina DeBow, the following ordinances:

FISCAL ORDINANCE NO. 47, 2014 – appropriates \$8,202,860 from various city and county funds for use by various city and county agencies, funded by transfers and reductions, revenues not previously appropriated, and fund balances

FISCAL ORDINANCE NO. 48, 2014 – approves an appropriation of \$40,000 in the 2014 Budget of the City-County Council (Consolidated County Fund) for contractual expenditures related to an assessment of Community Corrections, funded by a grant by the Indiana Department of Corrections

GENERAL ORDINANCE NO. 43, 2014 – amends the Code to revise sections establishing stormwater user fees and other related sections to provide revenue for stormwater capital improvement projects and enhance stormwater operations and maintenance programs

GENERAL ORDINANCE NO. 44, 2014 – amends the Code to require Council approval before firearms may be discharged in city parks

GENERAL ORDINANCE NO. 45, 2014 – authorizes parking restrictions on Pennsylvania Street between 11th and 13th Streets and on 13th Street between Delaware and Pennsylvania Streets (District 15)

GENERAL ORDINANCE NO. 46, 2014 – authorizes intersection controls at Chester East and West Drives (District 4)

GENERAL ORDINANCE NO. 47, 2014 – authorizes intersection controls at Sheffield Drive and Rouark Lane (District 18)

GENERAL ORDINANCE NO. 48, 2014 – authorizes intersection controls in the Misty Woods subdivision (District 25)

GENERAL ORDINANCE NO. 49, 2014 – authorizes intersection controls at Chris Anne Drive and Gunyon Way (District 25)

GENERAL ORDINANCE NO. 50, 2014 – authorizes U-turn limitations on West 10th Street near Mount Auburn Drive (District 14)

GENERAL ORDINANCE NO. 51, 2014 – authorizes intersection controls in the Red Fox Commons subdivision (District 25)

GENERAL ORDINANCE NO. 52, 2014 – authorizes intersection controls in the Rosswood subdivision (District 18)

GENERAL ORDINANCE NO. 53, 2014 – authorizes intersection controls in the Bells Run subdivision (District 18)

GENERAL ORDINANCE NO. 54, 2014 – authorizes intersection controls in the Wayne Commons subdivision (District 13)

GENERAL ORDINANCE NO. 55, 2014 – authorizes intersection controls at Village Way and Woodstone Way West Drive (District 5)

GENERAL ORDINANCE NO. 56, 2014 – authorizes parking restrictions on Santa Fe Drive between Yuma Court and Liberty School (District 22)

GENERAL ORDINANCE NO. 57, 2014 – authorizes intersection controls in the Northfield at Heartland Crossing subdivision (District 22)

*December 15, 2014*

GENERAL ORDINANCE NO. 58, 2014 – authorizes parking restrictions on Auburn Road near the Carl Wilde School (District 7)

GENERAL ORDINANCE NO. 59, 2014 - amends the Code to create a new non-reverting Indianapolis pre-k fund; add the community affairs and education committee as a standing committee of the council; repeal the council rule on approval of charter schools; replace such rule with a new one giving the community affairs and education committee oversight of the Indianapolis pre-k program; and establish the Indianapolis pre-k program

GENERAL RESOLUTION NO. 18, 2014 – approves certain public purpose grants totalling \$323,750 from the Drug Free Community Fund

SPECIAL RESOLUTION NO. 57, 2014 - recognizes Keep Indianapolis Beautiful, Inc. and the Youth Tree Team program

SPECIAL RESOLUTION NO. 58, 2014 - recognizes the public service of Councillor Brian Mahern

SPECIAL RESOLUTION NO. 59, 2014 - recognizes the public service of Councillor Steve Talley

s/Gregory A. Ballard, Mayor

#### **RETURN OF ORDINANCE AND ANNOUNCEMENT OF VETO**

TO THE CLERK OF THE CITY-COUNTY COUNCIL:

Pursuant to the authority vested in the Office of the Mayor by Indiana Code §36-3-4-16, I hereby veto Proposal No. 304, 2014, presented to me on December 12, 2014, for the reasons stated below.

1. The City-County Council vested the board of the department of parks and recreation with the authority to control and maintain property under the board's control and jurisdiction under Sec. 631-101 of the Revised Code for the Consolidated City of Indianapolis - Marion County. Additionally, the City-County Council participates in the decisions of the board by virtue of its two (2) appointees.
2. Proposal No. 304, 2014, is an impermissible intrusion into the executive function of local government, thereby preventing a city department from efficiently and effectively fulfilling its duties and responsibilities.
3. Wildlife management decisions should remain at the park department-level as damage assessment to park environments is both technically and scientifically understood by park staff.
4. Indiana Code 35-47-11.1 preempts local governments from regulating firearms. A person adversely affected by an ordinance in violation of that chapter may file an action for injunctive relief and damages, so Proposal 304, 2014, invites costly litigation.

For these reasons, I veto Proposal No. 304, 2014.

s/Gregory A. Ballard, Mayor

#### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

#### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of December 1, 2014. There being no additions or corrections, the minutes were approved as distributed.

#### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 416, 2014. The proposal, sponsored by Councillor Adamson, recognizes Russell Hill for his selfless act of bravery. Councillor Adamson moved, seconded by Councillor

Gray, to postpone Proposal No. 416, 2014 until January 12, 2014. Proposal No. 416, 2014 was postponed by a unanimous voice vote.

PROPOSAL NO. 404, 2014. The proposal, sponsored by Councillor Lutz, accepts the disclosure of the renewal of a contract between the Marion County Public Defender Agency and Brian Lutz. Councillor Lutz moved, seconded by Councillor Freeman, for adoption. Proposal No. 404, 2014 was adopted by a unanimous voice vote.

Proposal No. 404, 2014 was retitled COUNCIL RESOLUTION NO. 99, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 99, 2014

A PROPOSAL FOR A COUNCIL RESOLUTION accepting the disclosure of a contract between the Marion County Public Defender Agency and Brian Lutz.

WHEREAS, pursuant to I.C. 36-1-21-5, certain contracts between city agencies and individuals who are relatives of an elected official must be disclosed to and accepted by the Council; and

WHEREAS, the Marion County Public Defender Agency intends to renew a contract for services with Brian Lutz, who is the adult, non-dependent son of Councillor Robert Lutz; and

WHEREAS, Councillor Lutz has submitted the written disclosure required by I.C. 36-1-21-5 (b) (1); now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby accepts the written disclosure submitted by Councillor Lutz, attached hereto as Exhibit A.

SECTION 2. The Council hereby directs that a copy of the resolution and the written disclosure be filed with the State Board of Accounts and the Clerk of the Marion Circuit Court within fifteen (15) days after final action on the contract.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 305, 342, 344, 347, 381-382, and 384-386, 2014 on December 10, 2014. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 305, 2014. The proposal, sponsored by Councillors Moriarty Adams and Lewis, appoints Anna Humkey to the Domestic Violence Fatality Review Team. PROPOSAL NO. 342, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Lambert Barnes, II to the Juvenile Detention Center Advisory Board. PROPOSAL NO. 344, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Evan Hawkins to the Board of Public Safety. PROPOSAL NO. 347, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Larna Spearman to the Citizens Police Complaint Board. PROPOSAL NO. 381, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Stacie Hurre to the Animal Care and Control Board. PROPOSAL NO. 382, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Christian Mosburg to the Animal Care and Control Board. PROPOSAL NO. 384, 2014. The proposal, sponsored by Councillors Barth, Lewis and Gray, appoints Kurt Webber to the Marion County Public Defender Board. PROPOSAL NO. 385, 2014. The proposal, sponsored by Councillors Moriarty Adams, Lewis, Barth and Gray, reappoints Sandra J. Bryan to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 386, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, appoints Jason Reyome to the Marion County Community Corrections Advisory

Board. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal Nos. 305, 342, 344, 347, 381-382, and 384-386, 2014 were adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 305, 2014 was retitled COUNCIL RESOLUTION NO. 100, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 100, 2014

A COUNCIL RESOLUTION appointing Anna Humkey to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, fulfilling the law enforcement representative requirement, the Council appoints:

Anna Humkey

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 342, 2014 was retitled COUNCIL RESOLUTION NO. 101, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 101, 2014

A COUNCIL RESOLUTION reappointing Lambert Barnes, II to the Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council reappoints:

Lambert Barnes, II

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 344, 2014 was retitled COUNCIL RESOLUTION NO. 102, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 102, 2014

A COUNCIL RESOLUTION reappointing Evan Hawkins to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council reappoints:

Evan Hawkins

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified, unless the duration of the holdover period for this office is limited by statute.

Proposal No. 347, 2014 was retitled COUNCIL RESOLUTION NO. 103, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 103, 2014

A COUNCIL RESOLUTION reappointing Larna Spearman to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council reappoints:

Larna Spearman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 381, 2014 was retitled COUNCIL RESOLUTION NO. 104, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 104, 2014

A COUNCIL RESOLUTION reappointing Stacie Hurre to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council reappoints:

Stacie Hurre

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 382, 2014 was retitled COUNCIL RESOLUTION NO. 105, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 105, 2014

A COUNCIL RESOLUTION reappointing Christian Mosburg to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council reappoints:

Christian Mosburg

*December 15, 2014*

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 384, 2014 was retitled COUNCIL RESOLUTION NO. 106, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 106, 2014

A COUNCIL RESOLUTION appointing Kurt Webber to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council appoints:

Kurt Webber

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2016. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 385, 2014 was retitled COUNCIL RESOLUTION NO. 107, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 107, 2014

A COUNCIL RESOLUTION reappointing Sandra J. Bryan to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, fulfilling the probation position, the Council reappoints:

Sandra J. Bryan

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2018. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 386, 2014 was retitled COUNCIL RESOLUTION NO. 108, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 108, 2014

A COUNCIL RESOLUTION appointing Jason Reyome to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Jason Reyome

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies unless the duration of the holdover period for this office is limited by statute.

Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 376-379, 2014 on December 8, 2014. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 376, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, appoints John Lewis to the Metropolitan Development Commission. PROPOSAL NO. 377, 2014. The proposal, sponsored by Councillors Lewis, Barth, Gray, Adamson and Moriarty Adams, reappoints Susan Williams to the Indianapolis Historic Preservation Commission. PROPOSAL NO. 378, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, reappoints Russell Brown to the Ft. Benjamin Harrison Reuse Authority. PROPOSAL NO. 379, 2014. The proposal, sponsored by Councillors Lewis, Barth and Gray, nominates Zach Little for appointment to the Beech Grove Economic Development Commission. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Gooden asked to be noted as an abstention on Proposal No. 378, 2014. Consent was given.

Councillor Robinson moved, seconded by Councillor Gray, for adoption. Proposal Nos. 376-379, 2014 were adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 376, 2014 was retitled COUNCIL RESOLUTION NO. 109, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 109, 2014

A COUNCIL RESOLUTION appointing John Lewis to the Metropolitan Development Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Development Commission, the Council appoints:

John Lewis

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 377, 2014 was retitled COUNCIL RESOLUTION NO. 110, 2014, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 110, 2014

A COUNCIL RESOLUTION reappointing Susan Williams to the Indianapolis Historic Preservation Commission.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Historic Preservation Commission, the Council reappoints:

Susan Williams



*December 15, 2014*

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2018. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 378, 2014 was retitled COUNCIL RESOLUTION NO. 111, 2014, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 111, 2014**

A COUNCIL RESOLUTION reappointing Russell Brown to the Ft. Benjamin Harrison Reuse Authority.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Ft. Benjamin Harrison Reuse Authority, the Council reappoints:

Russell Brown

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2017. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 379, 2014 was retitled COUNCIL RESOLUTION NO. 112, 2014, and reads as follows:

**CITY-COUNTY COUNCIL RESOLUTION NO. 112, 2014**

A COUNCIL RESOLUTION nominating Zach Little for appointment to the Beech Grove Economic Development Commission.

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. As a member of the Beech Grove Economic Development Commission, the Council nominates:

Zach Little

SECTION 2. The nomination made by this resolution is for a term ending December 31, 2015. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 380, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 380, 2014 on December 8, 2014. The proposal, sponsored by Councillors Lewis, Barth, Gray and Sandlin, nominates Phil Christy for appointment to the Southport Economic Development Commission. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Robinson moved, seconded by Councillor Gray, to strike. Proposal No. 380, 2014 was stricken by a unanimous voice vote.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 400, 2014. Introduced by Councillors Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David Hampton to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 401, 2014. Introduced by Councillors Lewis, Barth, Gray and Mansfield. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Annette

Johnson to the Metropolitan Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 402, 2014. Introduced by Councillors Adamson and Miller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to remove massage parlors from Chapter 911 and creates a new Chapter 912 pertaining to massage establishments"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 403, 2014. Introduced by Councillors Oliver, Lewis, Barth and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Elizabeth Henning Byfield to the Metropolitan Police Department Merit Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 405-409, 2014 and PROPOSAL NOS. 410-415, 2014. Introduced by Councillor Robinson. Proposal Nos. 405-409, 2014 and Proposal Nos. 410-415, 2014 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 5, 2014. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 89-99, 2014, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 89, 2014.

2014-CZN-824C

8120 East Southport Road

FRANKLIN TOWNSHIP, CD #25

Kroger Limited Partnership I, by Thomas Michael Quinn request Rezoning of 12.5 acres from the D-A district to the C-S classification to provide for C-1 uses, self-storage facilities, landscape nurseries and C-3 uses, with drinking establishments required to provide for sale a full lunch and dinner menu, and with the following excluded uses: discount tobacco stores, emergency shelters, tattoo parlors, social clubs, shooting galleries, gasoline service stations, check cashing or validation services, pawn shops, mortuaries and/or funeral homes, adult book stores/shops, adult entertainment businesses, auction rooms, firearm/gun shops, substance abuse clinics/facilities, firework sales, motels, variety stores and outdoor advertising signs.

REZONING ORDINANCE NO. 90, 2014.

2014-CZN-824D

8120 East Southport Road

FRANKLIN TOWNSHIP, CD #25

Kroger Limited Partnership I, by Thomas Michael Quinn request Rezoning of 6.7 acres from the D-A district to the C-S classification to provide for C-1 uses, self-storage facilities, landscape nurseries and C-3 uses, with drinking establishments required to provide for sale a full lunch and dinner menu, and with the following excluded uses: discount tobacco stores, emergency shelters, tattoo parlors, social clubs, shooting galleries, gasoline service stations, check cashing or validation services, pawn shops, mortuaries and/or funeral homes, adult book stores/shops, adult entertainment businesses, auction rooms, firearm/gun shops, substance abuse clinics/facilities, firework sales, motels, variety stores and outdoor advertising signs.

REZONING ORDINANCE NO. 91, 2014.

2014-ZON-060

6450 Gateway Drive (Approximate Address)

PIKE TOWNSHIP, CD #6

David GTO, LLC, by Mary E. Solada requests Rezoning of 9.127 acres from the C-S district to the C-S classification to provide for an indoor warehouse, offices, wholesale display and distribution of grocery-

related items, and an indoor sports education and training complex, including soccer, boxing and karate with a termination of all commitments related to 2011-CZN-827 as recorded as Instrument # 2012-10584 in the Office of the Recorder, Marion County, Indiana.

REZONING ORDINANCE NO. 92, 2014.

2014-ZON-063

640 South Carroll Road (Approximate Address)

WARREN TOWNSHIP, CD #21

St. John United Church of Christ, by Thomas L. Landwerlen requests Rezoning of 10 acres from the D-A district to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 93, 2014.

2014-ZON-065

1260 North Post Road (Approximate Address)

WARREN TOWNSHIP, CD #21

D.E. Kelly Building, LLC, by Thomas Michael Quinn requests Rezoning of 0.8 acre from the D-P district to the D-P classification to provide for general professional office uses in addition to the previously permitted C-1 medical and medical related uses.

REZONING ORDINANCE NO. 94, 2014.

2014-ZON-008

211, 217 and 221 North Reisner Street and 1525, 1535, 1540 and 1543 West Ohio Street (Approximate Address)

CENTER TOWNSHIP, CD #15

Westside Pentecostal Assembly Church, by Anthony Oliver requests Rezoning of two acres, from the D-8 (RC) (W-5) and SU-1 (RC) (W-5) districts to the SU-1 (RC) (W-5) classification to provide for religious uses.

REZONING ORDINANCE NO. 95, 2014.

2014-ZON-053

7602 Michigan Road (Approximate Address)

PIKE TOWNSHIP, CD #2

Jim Whiten, by Abraham Murphy requests Rezoning of 0.44 acre from the C-3 and D-5 districts to the C-3 classification to permit the entire parcel to be within the same commercial zoning district.

REZONING ORDINANCE NO. 96, 2014.

2014-ZON-055

1330 West Southport Road (Approximate Address)

PERRY TOWNSHIP, CD #22

Bluff and Southport Partners, LLC, by David and Justin Kingen request Rezoning of 7.71 acres from the D-P district to the D-P classification to provide for indoor live entertainment and outdoor seating and dining.

REZONING ORDINANCE NO. 97, 2014.

2014-ZON-058

5030 (Filed as 5050) East Fall Creek Parkway, North Drive (Approximate Address)

WASHINGTON TOWNSHIP, CD #4

Evert J. Hauser requests Rezoning of 1.25 acres from the D-4 (W-5) district to the D-1 (W-5) classification to provide for single-family residential development.

REZONING ORDINANCE NO. 98, 2014.

2014-CZN-830

6548 Cornell Avenue

WASHINGTON TOWNSHIP, CD #3

Sheila Fuzy (Fuzion Real Estate Holdings), by Mark W. Demerly requests Rezoning of 0.18 acre from the D-4 (FF) district to the C-3C (FF) classification to provide for office, retail and residential uses.

REZONING ORDINANCE NO. 99, 2014.

2014-ZON-014

5543 and 5609 Bonna Avenue

WARREN TOWNSHIP, CD #21

Irvington Brewing Real Estate, LLC by David Gilman requests Rezoning of 3.2 acres from the C-S, C-3 and D-5 districts to the C-S classification.

## **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 304, 2014. The proposal, sponsored by Councillors Lewis, Barth, Mansfield, Robinson and Adamson, amends the Code to require Council approval before firearms may be discharged in city parks. President Lewis reported that Proposal No. 304, 2014 was heard by the Parks and Recreation Committee on October 16 and November 13, 2014. The proposal was returned to committee by the full Council on November 10 and then passed by the full Council on December 1, 2014. The proposal, which was retitled General Ordinance No. 44, 2014, was then vetoed by Mayor Gregory Ballard on December 12, 2014.

Councillor Barth moved, seconded by Councillor Adamson, to override the Mayor's veto of Proposal No. 304, 2014 (General Ordinance No. 44, 2014).

Councillor Mansfield stated that the digest for this proposal is very broad, but she wants to make it clear that it is a very narrow ordinance and is only related to deer hunts. She said that this is an effort to be transparent, as they are responsible for the actions of the city in this regard.

Councillor Barth said that he supports the override. He said that people felt they did not have time to give any input into the deer kill decision, and they were just being told what would happen instead of being given an opportunity for feedback.

Councillor McHenry said that Eagle Creek Park is in her district, and she feels strongly about issues in the park. Although she is not an expert on environmental issues, this does not address all the problems they have been having in the park, and the deer population is just one item. She said that the district Councillor should be made aware of actions like this, and they should not be hearing from their constituents or reading about this kind of news in the newspaper. She said that she hopes they can work to make sure district Councillors are notified in advance before these types of actions go before the boards. Although the Council does have appointments to these boards for oversight, they still need to be kept abreast of decisions coming before the boards.

Councillor Evans echoed Councillor McHenry's statements and said that the park is also in his district, and it is embarrassing to get calls from constituents and know nothing about it.

Councillor Jackson said that citizens need information about these kinds of actions, and it becomes a public safety issue.

Councillor Scales said that board members are not elected, but Councillors are elected to represent the desires of the people, and they need to listen to the public on these types of issues.

Councillor Hickman said that they are made aware of decisions after the fact, and there is again no transparency. She said that board members are not held accountable, but Councillors are. This affected a lot of people and they should have been made aware.

Councillor Adamson echoed the sentiments expressed by his colleagues.

Councillor Miller said that he agrees communication is critically important. While he does not want to be responsible for every decision and bog down the process unnecessarily, he hopes the administration hears them and keeps them informed of decisions that affect their constituents.

Councillor Oliver said that this was a hot item, and the administration over-reached its authority. The public was not allowed to give input on a decision that was already made.

With two-thirds of the vote required, the motion to override the Mayor's veto of Proposal No. 304, 2014 failed on the following roll call vote; viz:

*16 YEAS: Adamson, Barth, Clay, Gray, Hickman, Jackson, Lewis, Mansfield, Mascari, Moriarty Adams, Oliver, Osili, Robinson, Scales, Simpson, Tew*  
*13 NAYS: Cain, Evans, Freeman, Gooden, Holliday, Hunter, Lutz, McHenry, McQuillen, Miller, Pfisterer, Sandlin, Shreve*

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 334, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 334, 2014 on December 8, 2014. The proposal, sponsored by Councillors Osili and Moriarty Adams, approves the amounts, locations and programmatic operation of certain projects to be funded from the Community Development Grant Funds. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 334, 2014 was adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 334, 2014 was retitled SPECIAL RESOLUTION NO. 60, 2014, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 60, 2014**

PROPOSAL FOR A SPECIAL RESOLUTION approving the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, the City-County Council, the Consolidated City of Indianapolis, Marion County, Indiana ("Council"), passed City-County Fiscal Ordinance No. 40, 2014, originally introduced as Proposal 258, 2014, the 2015 Annual Budget of the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 (b) of the Budget Ordinance, as approved by the Council, reads as follows:

Community Development Grant Funds. Until this Council has approved the amounts, locations and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent.

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has presented the 2015 Consolidated Annual Action Plan, a document submitted to the United States Department of Housing and Urban Development ("HUD"), which sets forth the City's goals and intentions for using federal dollars in fiscal year 2015 to the Council; and

WHEREAS, the 2015 Consolidated Annual Action Plan identifies the amounts, locations, and programmatic operation of each project that will be funded by Community Development Grant Funds, which are summarized in the Summary of 2014 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference; and

WHEREAS, Council now finds that the amounts, locations, and programmatic operations of each project listed in the 2015 Consolidated Annual Action Plan, including insubstantial amendments thereto should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the amounts, locations, and programmatic operations of each of the projects included in the 2015 Consolidated Annual Action Plan, which are summarized in the Summary of 2015 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference, are approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01(b) of the Budget Ordinance and shall include and allow insubstantial amendments to the approved projects.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code section 36-3-4-14.

PROPOSAL NO. 335, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 335, 2014 on December 8, 2014. The proposal, sponsored by Councillor Cain, approves the statement of benefits of Algaeon, Inc., an applicant for tax abatement for property located in an economic revitalization area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield asked where this is located. Councillor Cain said that it is in her district on 96<sup>th</sup> Street. Councillor Mansfield asked what the cost of giving these benefits is versus what they are getting in return. Ryan Hunt, Department of Metropolitan Development (DMD), said that this is a six-year abatement, and the initial estimate is that the company will realize a savings of \$180,000, but will be paying \$97,000 of taxes in that same period, and then will be paying \$36,000 in additional taxes annually after the abatement expires. He said that the project will also provide 25 new positions at a salary of approximately \$40 an hour and will maintain 12 existing jobs at \$40 an hour. Councillor Mansfield asked for the net benefit to Marion County, as it is close to the county line, and she is worried many of these new employees will live in Hamilton County and will not generate the revenue for Marion County worth the abatement. Mr. Hunt said that over 50% of their current employees reside in Marion County, and they are committed to working with Employ Indy to bring Marion County candidates into the pool, and they plan to make the best effort to employ Marion County residents.

Councillor Simpson asked if there is a penalty if all the employees are hired from Hamilton County. Mr. Hunt said that there are penalties if they do not create 25 new positions or retain the 12 existing, but there is no penalty regarding residency. However, they do have a memorandum of understanding with Employ Indy to make every effort to hire Marion County residents for these positions.

Councillor Gray asked how much it is costing Marion County for these 25 jobs. Mr. Hunt said that they will be foregoing \$180,000 of taxes over a six-year period, but if this project was not taking place, they would not have some of that additional \$97,000 of taxes generated in the same time frame.

Councillor Cain said that they are not giving anything away, and if this company chooses to move across the street and do the project in Hamilton County, then they will be losing taxes. They are instead getting tax revenue on property that is currently not paying any taxes.

Councillor Lutz asked if this is \$97,000 worth of taxes that are not being paid now. Mr. Hunt said that this is correct, and this is tax revenue that would not be paid if the project does not happen. Councillor Lutz asked if other counties also have guidelines and requirements for tax abatements. Mr. Hunt said that they do, but Marion County has more.

Councillor Hickman asked if this is an industry on the rise and they could expand further. Mr. Hunt responded in the affirmative and said that this is a biotech firm and there is lots of growth potential.

Councillor McHenry said that they are not talking millions of dollars, and this is an additional \$97,000 in six years, and then another \$36,000 a year after that. If only 30% of the employees lived in Marion County, that would be some high-paying jobs available to residents and could result in more jobs in the future. Mr. Hunt said that there could be some service industry jobs generated because of the project, but those are not included in these estimates.

Councillor Scales said that she tends to view these very judiciously on a case-by-case-basis. Far too often these are downtown-centric projects with huge giveaways. This is a positive for the far northside, as too often they see businesses cross the county line for more favorable incentives. This is a growing industry with lots of potential for more growth, and they need to do what they can to insure this business and others like it stay in Marion County.

Councillor Mascari said that this is a 2008 start-up company, and asked why a company that grows algae is located here in the heartland and not on the east coast. Mr. Hunt said that the owners are from this area. Councillor Adamson said that these businesses are typically seen on the coast, but this company is already here and is growing and expanding. They are about to corner the market on a patent that could yield vastly more growth than this after the six years. They offer exceedingly well paid salaries, and even if half of them were Marion County residents, this is an extreme jump in some residents' income bracket. He said that their presentation to the committee was outstanding.

Councillor Gooden said that the company grows algae in tanks and does not need to be located on the coast.

Councillor Mansfield thanked Councillors for the open discussion, and said that this kind of information helps Councillors change their minds and make good decisions. It is also good for the public to hear these comments and understand why this is a good project. She thanked everyone for their comments and said that because of them, she will support the proposal and feels this is a good use of incentives like this.

Councillor Miller encouraged Councillors and the public to watch the committee meeting, as there were tough questions posed with good answers and an excellent discourse.

Councillor Robinson moved, seconded by Councillor Cain, for adoption. Proposal No. 335, 2014 was adopted on the following roll call vote; viz:

*29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty, Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson*  
*0 NAYS:*

Proposal No. 335, 2014 was retitled GENERAL RESOLUTION NO. 19, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 19, 2014

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of Algaeon, Inc. (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted a personal property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statement of Benefits that was submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Algaeon, Inc.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code 36-3-4-14.

PROPOSAL NO. 336, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 336, 2014 on December 8, 2014. The proposal, sponsored by Councillors Scales, Gooden and Cain, approves the statement of benefits of PK Partners, LLC, an applicant for tax abatement in an economic revitalization area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Tew asked how this became an economic revitalization area. This property is located near Keystone at the Crossing, which is a wealthy, economically thriving area. Mr. Hunt said that the designation was adopted by the Metropolitan Development Commission (MDC) as per statutory requirements. He said that some things considered are a lack of normal growth and development. If this property was in the middle of Keystone at the Crossing, he might agree, but it is 20 acres to the north east of Keystone at the Crossing. It is a property that has sat vacant for a long time and has not developed as other areas around it have developed. Because of its size and shape and drainage issues, it has been challenging to develop. There are no other large tracts in that vicinity that have not developed, so it meets the test for economic revitalization. He said that the developer is committing to a significantly greater investment than the portion that is subject to abatement. Councillor Tew asked if the property would not develop because of



drainage issues, then, if it were not for the abatement. Mr. Hunt said that it could possibly still occur, but probably not the high quality nature of what is being proposed. He said that one day some type of development could occur on the property that would be financially feasible, but he doubts it would be as prosperous as the proposal before them now.

Councillor Miller said that he had the same question in committee, and if Councillor Tew saw a map of the proposed site, he would understand how desolate the property is.

Councillor Scales said that this is in her district, and this land has sat vacant for 25 years while all surrounding properties have been developed. She said that it has a very unusual topography and it is hard for her to even visualize this project on that piece of property. She said that it is important to maintain company headquarters in Marion County whenever possible, and PK Partners is a good company to hold on to. PK Partners is involved in the community and will work with Glick to lease office space. She said that this is a major development, and in a cost benefit analysis, there will be millions of dollars coming in on the tax rolls because of this development.

Councillor Hickman asked if the abatement is only on a portion of the planned buildings, and not included for the hotel. Mr. Hunt said that this is correct, and the abatement is only on the office building for the headquarters of PK Partners and Glick, and the garage. The hotel is not eligible for deductions. Councillor Hickman said that she will support the project because of the tax dollars it will bring in.

Councillor Adamson said that this proposal does not make the decision as to whether or not this area is designated as an economic revitalization area; that has already been decided. This is just about the abatement, and the committee felt this project had an enormous return on investment for Marion County. He said that he does have concerns about appointed positions on the MDC, as the commission was once populated by individuals from many various sources, but now most of the members are appointed by one individual. This sometimes makes it hard to rely on the result of their decisions.

Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 336, 2014 was adopted on the following roll call vote; viz:

*28 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson, Tew*  
*1 NAY: Gray*

Proposal No. 336, 2014 was retitled GENERAL RESOLUTION NO. 20, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 20, 2014

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of PK Partners, LLC. (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted a real property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statement of Benefits that was submitted to the MDC, as part of the application for Economic Revitalization Area designation, by PK Partners, LLC.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code 36-3-4-14.

PROPOSAL NO. 338, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 338, 2014 on December 8, 2014. The proposal, sponsored by Councillors Gooden, Cain and Miller, amends the declaratory resolution for the Meridian II Redevelopment Area to terminate the allocation provisions of the declaratory resolution, terminate the allocation area and terminate the supplemental housing program allocation area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson said that the Chief Financial Officer for DMD asked that they postpone this proposal until the next Council meeting. Councillor Robinson moved, seconded by Councillor Mansfield, to postpone Proposal No. 338, 2014 until January 12, 2015. Proposal No. 338, 2014 was postponed by a unanimous voice vote.

PROPOSAL NO. 339, 2014. Councillor Robinson reported that the Metropolitan and Economic Development Committee heard Proposal No. 339, 2014 on December 8, 2014. The proposal, sponsored by Councillors Gooden, Cain and Miller, amends the declaratory resolution for the Brookville/Senour Economic Development Area to terminate the allocation provisions of the declaratory resolution and terminate the allocation area. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Gooden, for adoption. Proposal No. 339, 2014 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday, Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 339, 2014 was retitled GENERAL RESOLUTION NO. 21, 2014, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 21, 2014

A GENERAL RESOLUTION approving an amendment to the declaratory resolution for the Meridian Redevelopment Area in the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the "City") under Indiana Code § 36-7-15.1 (the "Act"), and in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, the Commission previously adopted a resolution (the "Declaratory Resolution") establishing an economic development area known as the "Brookville/Senour Economic Development Area" (the "Economic Development Area"), designating the entire Economic Development Area as an "allocation area" (the "Allocation Area") for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by Section 26 of the Act, and adopting a development plan for the Economic Development Area; and

WHEREAS, the Commission, pursuant to the Act, adopted a resolution on November 5, 2014 (the "Amending Resolution") amending the Declaratory Resolution to terminate the allocation provisions of the Declaratory Resolution and terminate the Allocation Area (collectively, the "2014 Amendments"), now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 9 of the Act, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "City-County Council") determines that the Amending Resolution and the 2014 Amendments for the Economic Development Area, in all respects, conform to the plan of development for the City, and approves in all respects, the Amending Resolution and the 2014 Amendments for the Economic Development Area.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 388, 2014. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 388, 2014 on December 10, 2014. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$34,000 in the 2014 Budget of the Marion County Forensic Services Agency (County General Fund) to cover overtime and internal chargebacks. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 388, 2014 was adopted on the following roll call vote; viz:

29 YEAS: Adamson, Barth, Cain, Clay, Evans, Freeman, Gooden, Gray, Hickman, Holliday,  
Hunter, Jackson, Lewis, Lutz, Mansfield, Mascari, McHenry, McQuillen, Miller, Moriarty  
Adams, Oliver, Osili, Pfisterer, Robinson, Sandlin, Scales, Shreve, Simpson  
0 NAYS:

Proposal No. 388, 2014 was retitled FISCAL ORDINANCE NO. 49, 2014, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 2014

A FISCAL ORDINANCE amending the City-County Annual Budget for 2014 (City-County Fiscal Ordinance No. 270, 2013) by transferring a total of \$34,000 for purposes of the Marion County Forensic Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2014 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Forensic Services Agency.

SECTION 2. The Marion County Forensic Services Agency, transfer among characters in the County General Fund to cover overtime and internal chargebacks. The following changes to appropriations are hereby approved:

<b>FUND</b>	<b>CHAR 1</b>	<b>CHAR 2</b>	<b>CHAR 3</b>	<b>CHAR 4</b>	<b>TOTAL</b>
County General 10101	5,000	(34,000)	29,000	-	0

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor McQuillen stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Lewis, Simpson, Pfisterer, McQuillen and Gray in memory of William G. Mays; and
- (2) Councillors Simpson, Pfisterer, Hunter, Sandlin and Moriarty Adams in memory of Mark Rush; and
- (3) Councillors Pfisterer and Moriarty Adams in memory of Bernard M. Hanley and Kenny L. Snyder; and
- (4) Councillors Pfisterer, Hunter, Sandlin and Moriarty Adams in memory of Michael Rinehart and James Hurt; and
- (5) Councillors Miller and Mascari in memory of Mary Berry; and
- (6) Councillor McQuillen in memory of Carol Ann Trexler.

Councillor McQuillen moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of William G. Mays, Mark Rush, Bernard M. Hanley, Kenny L. Snyder, Michael Rinehart, James Hurt, Mary Berry, and Carol Ann Trexler. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 15th day of December, 2014.

December 15, 2014

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

  
President

ATTEST:

  
Clerk of the Council

(SEAL)